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ROCKLAND COUNTY BAR ASSOCIATION

NEWSBRIEF

www.rocklandbar.org

August 2017

President's Post

Welcome to a new year with the RCBA! My name is Andrea F. Composto, Esq. and I was recently installed as President of our organization this past June. I am a Life-long resident of Rockland, a graduate of Albertus Magnus High School and live and work in this wonderful County. I am very honored to have been nominated to serve as President and I look forward to the opportunity to work together.

It is important to me, as I am certain it is to all of you, for us, as attorneys, to make a difference in our community. We are part of a learned profession, and thus, we are all held to a higher standard. No matter if you are a member of the Bench or the Bar, we all have taken an oath to uphold Justice and to advocate for our clients and the litigants; and with that comes the most important task; we have a responsibility to speak the truth, to fight for the rights, of not only our clients, but for all people who seek help.

I know that one way we can accomplish this is to work together and to actively be a part of our Bar Association. If you are not already a member, JOIN! If you are a member, please RENEW and JOIN one of our Committees! I am very eager to work with the members and our committees so that we can reach a broad range of members in our Community.

At the installation dinner, one of the things that I mentioned was that it is very important to "Get Up, Dress Up and Show Up." Thank you for giving me the opportunity to do this every day for you.

Sincerely yours,
Andrea F. Composto, Esq.

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Sabrina Charles-Pierre, Editor





1893 – 2017

ANNUAL DINNER

THURSDAY, OCTOBER 26, 2017
6:00 P.M. – Patriot Hills Country Club

Featuring

GUEST OF HONOR
HON. PAUL PIPERATO
Rockland County Clerk

And

LIFETIME ACHIEVEMENT AWARD RECIPIENT
ROBERT B. MARCUS, ESQ.

And

NATALIE COUCH AWARD RECIPIENT
JOHN A. MURPHY

ROCKLAND COUNTY BAR ASSOCIATION, INC.
337 NORTH MAIN STREET - SUITE 1
NEW CITY, NEW YORK 10956
845-634-2149

2017 Souvenir Journal
Hon. Paul Piperato
Guest of Honor

The Lifetime Achievement Award will be given at the dinner to

Robert B. Marcus, Esq.

The Natalie Couch Award will be given at the dinner to

John A. Murphy

ADVERTISING RATES

(Please Check One)

- OUTSIDE BACK COVER\$750.00 FULL PAGE \$300.00
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- GOLD PAGE \$450.00 QUARTER PAGE \$150.00
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Please insert my advertisement to occupy a page, as indicated above, in the 2017 Journal

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*** Please make your check payable to the ROCKLAND COUNTY BAR FOUNDATION
DATE OF ANNUAL DINNER: THURSDAY, OCTOBER 26, 2017**

Please attach your ad or business card and return to:

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337 North Main Street, Suite #1
New City, New York 10956

Deadline for Advertising: October 2, 2017

COMMERCIAL LITIGATION ISSUES OF INTEREST

August 2017

Submitted by Paul Savad, Esq.

Chair, Commercial and Corporate Law Committee,

Joseph Churgin, Esq., and Susan Cooper, Esq., of

SAVAD CHURGIN, LLP, Attorneys at Law

Your client, a Brazilian investment company authorized to do business in New York, purchased millions of dollars of bonds from an international bank with offices globally and in New York. You commenced a lawsuit in Supreme Court, New York County, against the bank's Swiss, Brazilian, and New York subsidiaries, to compel delivery of the bonds, which were purchased by your Brazilian client in Brazil. You claim the court has personal jurisdiction over the bank's Swiss and Brazilian subsidiaries under the long-arm statute. You allege that the bank's entities are actually one corporation with an interactive website that advertises to consumers, including New Yorkers, and allows consumers to apply for the bank's services online. Will you defeat the motion to dismiss made by the foreign defendants?

The answer is *no*.

In *Cragnotti and Partners Capital Investment-Brazil S.A. v. Quintella*, 650075/2015, NYLJ 1202781884008, at *1, (Sup. Ct. N.Y. Co. February 23, 2017), Cragnotti, a Brazilian investment company authorized to do business in New York, sued Credit Suisse's entities domiciled in Switzerland, Brazil, and New York for fraud and to compel the delivery of \$193 million of Argentinian bonds purchased by Cragnotti in Brazil from Credit Suisse's Brazilian predecessor. All defendants moved to dismiss for *forum non conveniens*. The foreign defendants moved to dismiss for lack of personal jurisdiction.

Cragnotti argued for personal jurisdiction over the foreign defendants under CPLR 301(a)(1) and (4), (the long-arm statute), alleging that Credit Suisse's entities were actually one corporation, which operated an interactive website that advertised to customers, including New Yorkers, and allowed consumers to apply for Credit Suisse's services. Cragnotti also argued that Credit Suisse owned unspecified real property in New York, subjecting the foreign defendants to personal jurisdiction in New York.

The Court rejected Cragnotti's argument under CPLR 302(a)(1), citing *Wiison v. Dantas*, 128 A.D.3d 176, 181 (1st Dep't. 2015). The Court explained that two elements must be satisfied – the defendant must transact business in New York, and the plaintiff's cause of action must arise from that transaction. Additionally, there must be minimal contacts with New York to comport with due process.

The Court ruled that mere solicitation of business in New York does not constitute the transaction of business within the state unless it is supplemented by transactions in the state, citing *O'Brien v. Hackensack Univ. Med. Ctr.*, 305 A.D.2d 199, 201 (1st Dep't 2003). Moreover, maintaining a globally-accessible website does not constitute the transaction of business in New York, unless the website specifically targets its activities at New York, as ruled in *Kejriwal v. UCO Bank*, No. 12-CV-7507, 2014 WL 116218 (S.D.N.Y. Jan.10, 2014).

Cragnotti's claims met none of these criteria. The purchase was made in Brazil and not on the website. The Court explained that an interactive website, without more, does not support jurisdiction, because the constitutional underpinnings of New York's long-arm statute require something more, citing *Capital Records, LLC v. VideoEgg, Inc.* 611 F.Supp 2d 3409, 358 (S.D.N.Y. 2009).

The Court also rejected Cragnotti's claim of personal jurisdiction under CPLR 302(a)(4), which extends long-arm jurisdiction to a defendant who owns or possesses real property in New York State, because the required connection between the causes of action and the real property was missing, citing *CDR Creances S.A.S. v. First Hotels & Resorts Investments, Inc.*, 140 A.D.3d 558, 563 (1st Dep't 2016).

The motion for dismissal under forum *non conveniens* was granted as to both the New York defendants and the foreign defendants.

The lesson? Whenever possible, clients who conduct transactions outside of New York should obtain a writing providing for jurisdiction of all disputes in New York. Solicitation of business on interactive websites of non-New York domiciliaries, without more, will not constitute transacting business to support jurisdiction in New York.

Savad | Churgin

IT'S DUES TIME!

This is a friendly reminder that it is time to pay your 2017-18 RCBA Membership Dues.

Annual Dues for 2017-18 for regular Members is \$185.00.

Please send in your Membership Renewal Form now if you have not done so already.

After September 30, 2017 Dues amount increases to \$200.00!

If you have any questions about your Membership, please contact Sabrina Charles-Pierre ,
Program Coordinator, at sabrina@rocklandbar.org, or call Sabrina at 845-634-2149.

Enjoy the rest of your summer!
RCBA

SAPIR | SCHRAGIN LLP
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Spanish-speaking attorneys for
Assigned Counsel panels.**



News from the Executive Director

RCBA STAFF UPDATE

Below please find a break-down of major areas of responsibility for the RCBA Staff:

ASSIGNED COUNSEL COORDINATOR – MANUELA GOMEZ
LAWYER REFERRAL SERVICE COORDINATOR – MANUELA GOMEZ
CLE COORDINATOR – SABRINA CHARLES – PIERRE
ADVERTISING/NEWSLETTER – SABRINA CHARLES – PIERRE
EXECUTIVE DIRECTOR – NANCY LOW – HOGAN, Ph.D.

Contact us anytime at 845 634-2149. Direct lines: Assigned Counsel – 845 634-1761; Lawyer Referral Service – 845 708-5719

**ANNOUNCING
THE RETURN
OF
HIGH SCHOOL MOCK TRIAL
TO
ROCKLAND COUNTY!**



**WE NEED YOU!
ATTORNEY ADVISORS WANTED**

We are in search of Attorneys who will act as Attorney Advisors to High School Teams and their Faculty Coaches.

Mock Trial training will start this Fall (September-October). The County Mock Trial Competition will be held in March 2018, with Regional Finals held in April and State Finals in May in Albany.

Attorney Advisors will receive 3 CLE credits from the New York State Bar Association for their dedication to the Mock Trial teams. Advisors can anticipate approximately 1 hour of work per week with the students and their faculty coaches. The RCBA will provide a free training session for first time Attorney Advisors to help volunteers prepare for their role.

This is an excellent way to serve the youth of our community while earning CLE credits!

If you are interested, please contact Manuela Gomez at the RCBA at 845-634-2149, or email manuela@rocklandbar.org

our new website

is finally here!

www.rocklandbar.org

RCBA Memorial Recognition Ceremony

for those who left us in 2016-17
FRIDAY, SEPTEMBER 15, 2017
9:00 AM-10:30 AM

Ceremonial Courtroom
Rockland County Courthouse

Save This Date



New Counsel Announcement

We are very please to announce that Warren P. Kossin has joined the law firm of Phillips & Millman, LLP as counsel.

Warren Kossin has been a practicing attorney for forty-five years and has had an office in Rockland County for thirty-nine years. The majority emphasis of his practice is Real Estate and the Representations of Condominium Boards of Managers.

He has represented Condominiums since 1978. He has represented many condominiums since they were turned over to the Unit Owners by the sponsors.

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Upcoming EVENTS

2017 CALENDAR RCBA MAJOR EVENTS *Mark Your Calendar!*

~

September 15 - RCBA Memorial Recognition Ceremony

October 26 - Annual Dinner

December 14 - Holiday Party



The Big Brothers Big Sisters Mentoring Program is considered one of the model substance abuse prevention programs by the Federal Government and New York State as per its OASAS Work plan. In addition to its primary 1 – 1 mentoring program and the Court Ordered Supervised Visitation program, the organization provides School Based and Site Based Programs that measurably impact the quality of life of our county's children and youth by improving their odds for succeeding in school, behaving non-violently, avoiding drugs and alcohol and breaking negative cycles. Interested in learning more? Interested in serving its mission? Then please consider joining the Board of Directors by contacting: gballard@bbbsofrc.com.



Big Brothers Big Sisters

of Rockland County

BIG NEWS!
**THE RCBA NOW ACCEPTS...
 CREDIT CARDS!!!**
 YES IT'S TRUE!
 RIGHT NOW WE CAN PROCESS YOUR CREDIT CARD PAYMENTS FOR ALL
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MEMO

TO ALL RCBA COMMITTEE CHAIRS & VICE- CHAIRS

The Association is seeking articles from your committee for publication in the Bar's monthly Newsletter. The membership would greatly benefit from your input and would appreciate it. The article does not have to be complicated or long - a succinct piece of general interest and importance would be best.

If you are able to submit an article for the Newsletter it should be sent via email to sabrina@rocklandbar.org by the 15th of the month so that the Executive Board may review it.

Thank you!



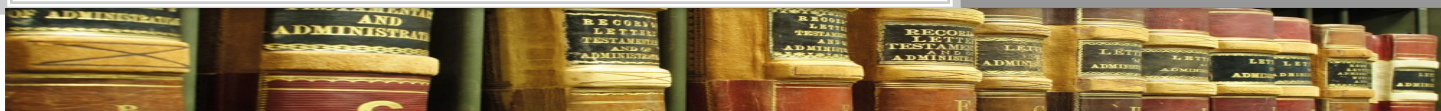
Monthly
Newsletter

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Find the Application form and program details on our website at www.rocklandbar.org under **Member Resources**, or call Manuela for an Application at 845-634-2149.



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JOIN NOW!

2017 RCBA
Lawyer
REFERRAL SERVICE

READ A GOOD BOOK?

If anyone has read a book that they would like to recommend, please write a short review for publication in our Newsletter.



**ALL ADVERTISEMENTS
AND ARTICLES MUST BE
REVIEWED BY THE
EXECUTIVE COMMITTEE
FOR CONTENT.**

Need a Place to Meet in New City?

RCBA Conference Rooms
available for rent.

MEMBER PRICES:

1st two hours FREE, then \$25/hour
Full Day (8 hours) = \$140.00

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\$50/hour
Half Day (4 hours) = \$150.00
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2017-18 SPONSORSHIPS

Our 2017-18 Sponsorship Year begins July 1, 2017.

There are several types of Sponsorships still available.

See complete details on our website under "About."



CLE CORNER

2017-18 CLE Schedule Coming Soon!

CLE REQUIREMENTS

Newly admitted attorneys must complete 32 credit hours of accredited “transitional” education within the first two years of admission to the Bar. Sixteen (16) credit hours must be completed in each of the first two years of admission to the Bar as follows: 3 hours of Ethics and Professionalism; 6 hours of Skills; 7 hours of Practice Management and/or areas of Professional Practice. Experienced Attorneys must complete 24 credit hours of CLE during each biennial reporting cycle: 4 credit hours must be in Ethics and Professionalism. The other credit hours may be a combination of the following categories: Ethics and Professionalism, Skills, Practice Management or Professional Practice.

NEWSBRIEF ADVERTISING RATES

FULL PAGE (7.5x10.25)	\$400.00
1/2 PAGE (7.5x5):	\$250.00
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1/8 PAGE (3.75x2.5):	\$125.00
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NEWSBRIEF ADVERTISING RATES CONT.

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PLEASE NOTE:

NEWSBRIEF IS NOT PUBLISHED IN JULY

CALL SABRINA @ 845-634-2149

TO ADVERTISE IN NEWSBRIEF

Advertising & articles appearing in the RCBA Newsletter does not presume endorsement of products, services & views of the Rockland County Bar Association.

COMMITTEE CORNER

Criminal Law Committee Meeting on September 21, 2017

@ 5:15PM

Location: RCBA Offices

CLASSIFIED ADS

PART-TIME OFFICE - NEW CITY

Office in New City available to use on your letterhead, accept packages, meet with clients, hold conferences, send faxes, accept mail, meetings at day or night, receptionist, waiting area for clients, very ample free parking, private bathroom. Perfect for practitioner with home office who needs a public presence. Low monthly fee. Call Bill at 845-300-9168.

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North Main Street, New City 11' x 13' with closet. Access to shared conference room, bathroom and kitchenette. Bright and clean, freshly painted. Please call Carol at 914-557-5750.

OFFICE SPACE

New City- 4 adjoining office suites, approx. 1800 sq. ft. total, can combine/ divide to suit individual user(s) needs - South Main Street, walk to courthouse, restaurants, gov't buildings, ample parking. Call Arthur 845-359-3560

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Priced to sell. Lateral file cabinets, desks, leather executive and guest chairs, conference table, book cases, credenza, tables, couch, framed art work. Please call Cassandra at 845-639-3445. Items are located in New City.

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Priced to sell. Vertical and lateral file cabinets, storage units, desks, chairs, conference table, book cases, credenza, tables, dividers, bulletin boards, white board. Please call Madelon at 914-527-2400 for information. Items are located in New City.

NEW LOCATION

Law Offices David I. Goldstein, Esq
777 Chestnut Ridge Road - Suite 203
Chestnut Ridge, New York 10977
845-356-4600

NEW LOCATION

Stanley Weiner, Esq.
20 Squadron Blvd., Suite 330
New City, New York 10956
Phone (845) 425-3363

MATRIMONIAL ATTORNEY WANTED

Attorney Wanted: New City Law Office seeking an attorney with matrimonial and family law experience, full time, trial experience a plus, Spanish speaking a plus, admitted to Southern District of NY a plus. Call 845.639.4600 or fax 845.639.4610 or E-mail: michael@demoyalaw.com

IMMIGRATION ATTORNEY WANTED

Immigration Attorney Wanted: New City Law Office seeking an attorney with immigration experience, full time, trial experience a plus, Spanish speaking a plus, admitted to Southern District of NY a plus. Also willing to assist with family law/bankruptcy/collections and loan modifications a plus. Call 845.639.4600 or fax 845.639.4610 or E-mail:

ATTORNEY WANTED:

New City, Rockland Law Office seeks attorney with experience in Personal Injury, Workers' Compensation, Dental/ Medical Malpractice, Nursing Home Neglect. Prefer minimum of 5 to 10 years plus experience in some or all of these areas. Deposition and Trial experience a plus. Salary and Benefits to be discussed. Call 845.598.8253. Email: vcrownlaw@aol.com. Applicants can learn more about the Law Firm of Valerie J. Crown by visiting our website: valericrown.com

LEGAL ASSISTANT WANTED

Entry level position available for part-time bilingual assistant. Located in New City, NY.
Please call 845 709-6800

ATTORNEY WANTED

New City, Rockland County, NY Law Office seeks attorney with some experience to handle all aspects of our Workers' Compensation cases in a busy and friendly small personal injury/malpractice law firm. Salary and Benefits to be discussed. Call 845-598-8253. E-mail: vcrownlaw@aol.com. Applicants can learn more about the Law Firm of Valerie J. Crown by visiting our website: valericrown.com

ASSOCIATE ATTORNEY NEEDED

3-5 years litigation experience for busy Rockland County firm. Please forward resume to phabas@barpc.com or fax to 845-359-5577

TO MY FAMILY COURT AND MATRIMONIAL COLLEAGUES

I am closing my New City office Effective August 31, 2017. I am "semi-retiring." I am writing to advise my colleagues that I will be available for per diem work. My telephone number is 845-641-8100. My email address is CBilottaEsq@aol.com. Thank you for considering me. Cassandra Bilotta

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